

**IN THE UNITED STATES DISTRICT COURT
OF THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

JEROME D. JOHNSON

PLAINTIFF

V.

CIVIL ACTION NO. 1:07cv539LG-JMR

DONALD A. CABANA, et al.

DEFENDANTS

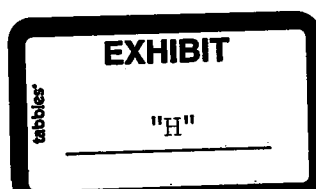
STATE OF MISSISSIPPI

COUNTY OF HARRISON

**AFFIDAVIT OF CORRECTIONS OFFICER ERIC TARPLEY
HARRISON COUNTY SHERIFF'S OFFICE**

PERSONALLY CAME AND APPEARED BEFORE ME the undersigned authority in and for the County and State aforesaid, the within named ERIC TARPLEY who, after first being duly sworn by me on his oath, did depose and state the following:

1. My name is Eric Tarpley and I am over the age of twenty-one (21) years. I am a Deputy officer with the Harrison County Sheriff's Office and held the position of Disciplinary Officer at all times relevant to Plaintiff claim(s). I have personal knowledge of the matters and facts contained in this Affidavit and I am competent to testify to the matters stated herein.
2. At no time during my tenure as a Disciplinary Officer at the HCADC was I given the task or responsibility of investigating criminal matters arising at the HCADC. It is the policy of the HCADC that criminal charges against inmates are investigated through the Criminal Investigation Division (CID).

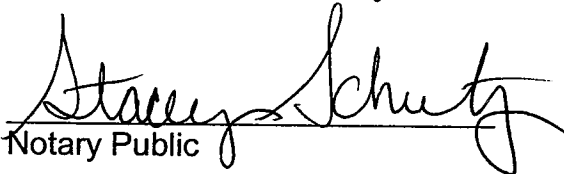


3. On September 1, 2006, during a cell shakedown, contraband was found in Plaintiff's cell area, as a Disciplinary Officer, I was forwarded the Rule Violation Report that was issued in this incident. As a major violation the Plaintiff received such disciplinary action that included a Detention Notice and Plaintiff was placed in Segregation Confinement from September 8, 2006 until September 20, 2006. See Rule Violation Report, Detention Notice, and Segregation Confinement Record, collectively attached hereto as **Exhibit "1"**.
4. At the time Plaintiff was charged with sexual assault, Plaintiff did not receive a Rule Violation Report because this was a criminal matter and all criminal matters are handled through CID and the courts.

I certify the above declaration is true and correct under penalty of perjury.


Affiant/Eric Tarpley
Harrison County, Mississippi

Sworn to and subscribed before me on this the 1st day of August, 2008.


Notary Public

My Commission Expires:

1/28/09

(SEAL)

Harrison County Adult Detention Center
George Payne, Jr., Sheriff

Detention Notice

Part I

Date: 9-1-06 Time: 1100

Inmate Name: Johnson, Terence
Present Cell Assignment: CD 1234
Reason for Application:
Cathy I. Major

Docket #: 287256
Moved to: CD 1234

Facts:

Tampering with Security Devices

P. M. 170
Officer's Signature

Part II

To be read to all inmates by the shift supervisor before being placed in detention:

(1) You have the right to be provided written notice of charges or reason for detention. (2) You have the right to call witnesses. (3) You have the right to present written statement (s). (4) If the above involves a rule violation report (s), you have the right to have these incident (s) investigated by an investigation employee from the Disciplinary Department. (5) You have the right to counsel when you have been formally charged. You will meet with a Hearing Officer within 72 working hours. If you need more time, you must request that time from the Hearing Officer in writing.

I have been informed of my rights concerning my detention:

[Signature]
Inmate's Signature

[Signature] 215
Signature of Authority Witnessing Inmate's Refusal / Service

Date: 9-1-06

Time: 1905

FTO

Position

Check if inmate refused ☒

[Signature]
Supervisor's Signature

Part III

Date of Hearing: _____
Name of Witnesses: _____

Time: _____

Part IV

Findings of Hearing Officer (72 hour review):

Signature of Hearing Officer

Harrison County Adult Detention Center

George Payne, Sheriff

Segregation Confinement Record

Inmate: Johnson, Jerome Number: 087256 Date Assigned to Segregation: 9-1-06

Segregation Status (Check One)	Reasons for Segregation (Explain Fully):
<input checked="" type="checkbox"/> Pre-Hearing Detention	<u>Pre-hearing -</u> <u>Tampering with Security Devices.</u>
<input type="checkbox"/> Protective Custody	
<input type="checkbox"/> Administrative Segregation	
<input type="checkbox"/> Disciplinary Segregation	
<input type="checkbox"/> Medical Observation	

Special Conditions: Segregation of the above named inmate is subject to the following special conditions, restrictions and/or precautions. (Attach additional sheets if necessary. Each line must be filled in. If no conditions apply, write "NONE").

Recreation/Exercise: None

Property Restrictions: None

Assault Risks: None

Known Enemies: None

Gang Affiliation(s): None

Restraints Required: None

Other Special Conditions: None

Segregation Ordered by:

Robert Kline
Printed Name

Deputy
Title

[Signature]
Signature